



Billing Code: 4510-43-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

[OMB Control No. 1219-0135]

Proposed Extension of Existing Information Collection; Health Standards for Diesel Particulate Matter Exposure

(Underground Metal and Nonmetal Miners)

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Request for public comments.

SUMMARY: As part of its continuing effort to reduce paperwork and respondent burden, the Department of Labor conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995. This program helps to assure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Mine Safety and Health Administration is soliciting comments concerning the extension of the information collection for 30 CFR 57.5060; 57.5065; 57.5066; 57.5070; 57.5071; and 57.5075. OMB last

approved this information collection request on September 28, 2009. The collection expires on September 30, 2012.

DATES: All comments must be postmarked or received by midnight Eastern Time on [INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: Comments concerning the information collection requirements of this notice must be clearly identified with "OMB 1219-0135" and sent to the Mine Safety and Health Administration (MSHA). Comments may be sent by any of the methods listed below.

- *Federal E-Rulemaking Portal:*
<http://www.regulations.gov>. Follow the on-line instructions for submitting comments.
- *Facsimile:* 202-693-9441, include "OMB 1219-0135" in the subject line of the message.
- *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. For hand delivery, sign in at the receptionist's desk on the 21st floor.

FOR FURTHER INFORMATION CONTACT: Greg Moxness, Chief, Economic Analysis Division, Office of Standards, Regulations, and Variances, MSHA, at moxness.greg@dol.gov (e-mail); 202-693-9440 (voice); or 202-693-9441 (facsimile).

SUPPLEMENTARY INFORMATION:

I. Background

Under Section 101(a) of the Federal Mine Safety and Health Act of 1977 (Mine Act), and Title 5, United States Code, Section 553, the Secretary of Labor shall develop, promulgate, and revise as may be appropriate, improved mandatory health or safety standards for the protection of life and prevention of injuries in coal or other mines.

Diesel particulate matter (DPM) is a probable carcinogen that consists of tiny particles present in diesel engine exhaust that can readily penetrate into the deepest recesses of the lungs. Despite ventilation, the confined underground mine work environment may contribute to significant concentrations of particles produced by equipment used in the mine. Underground miners are exposed to higher concentrations of DPM than any other occupational group. As a result, they face a significantly greater risk than other workers of developing such diseases as lung cancer, heart failure, serious allergic responses and other cardiopulmonary problems.

This information collection addresses the recordkeeping associated with:

§ 57.5060

Limit on exposure to diesel
particulate matter

§ 57.5065	Fueling practices
§ 57.5066	Maintenance standards
§ 57.5070	Miner training
§ 57.5071	Exposure monitoring
§ 57.5075	Diesel particulate records

II. Desired Focus of Comments

The Mine Safety and Health Administration (MSHA) is soliciting comments concerning the proposed extension of the information collection related to the health standards for diesel particulates matter in underground metal and nonmetal mines. MSHA is particularly interested in comments that:

- Evaluate whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information has practical utility;
- Evaluate the accuracy of the MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used;
- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and
- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submissions of responses), to minimize the burden of the collection of information on those who are to respond.

The public may examine publicly available documents, including the public comment version of the supporting statement, at MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, VA 22209-3939. OMB clearance requests are available on MSHA's website at <http://www.msha.gov> under "Rules & Regs" on the right side of the screen by selecting [Information Collections Requests](#), [Paperwork Reduction Act Supporting Statements](#). The document will be available on MSHA's website for 60 days after the publication date of this notice. Comments submitted in writing or in electronic form will be made available for public inspection. Because comments will not be edited to remove any identifying or contact information, MSHA cautions the commenter against including any information in the submission that should not be publicly disclosed. Questions about the information collection requirements may be directed to the person listed in the FOR FURTHER INFORMATION section of this notice.

III. Current Actions

The information obtained from mine operators is used by MSHA during inspections to determine compliance with this health standard. MSHA has updated the data with respect to the number of respondents and responses, as well as the

total burden hours and burden costs supporting this information collection extension request.

Summary

Type of Review: Extension

Agency: Mine Safety and Health Administration

Title: Health Standards for Diesel Particulates Matter in Underground Metal and Nonmetal Mines

OMB Number: 1219-0135

Affected Public: Business or other for-profit

Cite/Reference/Form/etc. 30 CFR 57.5060, 57.5065, 57.5066, 57.5070, 57.5071, and 57.5075.

Total Number of Respondents: 173

Frequency: Various

Total Number of Responses: 28,022

Total Burden Hours: 3,329 hours

Total Annual Cost Burden: \$509,532

Comments submitted in response to this notice will be summarized and included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Authority: 44 U.S.C. 3506(c)(2)(A).

_____ Dated: May 29, 2012

George F. Triebisch
Certifying Officer

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